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FILE NO. AP33154 - 070457.1000
PATENTREMARKS

Claims 1-5 and 7-16 are pending in this application.

Applicants request entry, prior to Appeal, of claims 1-5 and 7-16 as amended in their Reply of February 20, 2007

Applicants filed the Reply on February 20, 2007 responding to the Final Office Action dated November 17, 2007. In the Final Office Action, claim 1 was rejected under 35 U.S.C. § 112, second paragraph. Further, claims 1-5 and 7-16 were rejected under 35 U.S.C. § 102(e) as being anticipated by Breck et al. U.S. patent application Publication No. 2004/0210449).

In their Reply, in addition to traversing the prior art rejection, applicants respectfully traversed the § 112 rejection. Applicants noted that the allegedly indefinite term: "that code," clearly referred to the precedent term: "the second acquirer code", which is recited in the same phrase of claim 1. However, in response to the Office Action requirement "that code" be specifically identified, applicants amended claim 1 to explicitly replace "that code" with "the included second acquirer code" for further clarity. No substantive amendment to claim 1 or any of the other claims was proposed.

Applicants do not believe that their minor "clarity" amendment to claim 1 raises any new issues regarding the patentability of claims 1-5 and 7-16. Applicants are therefore surprised that the Advisory Action indicates that the "proposed amendments . . . will not be entered " "because they raise new issues . . ." The Advisory Action does not provide a "NOTE," or other indication of what are these new issues?

Applicants believe that the Advisory Action is in error or incomplete. Applicants therefore request Reconsideration of the Reply filed February 20, 2007, entry of the amended claims prior to Appeal, and clarification of the Advisory Action.

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Conclusion

In view of the foregoing remarks, favorable consideration and allowance of claims 1-16 are respectfully solicited. In the event that the application is not deemed in condition for allowance, or the claims not entered for Appeal, the Examiner is requested to contact the undersigned in an effort to advance the prosecution of this application.

Respectfully submitted,

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